

VZCZCXRO1047
OO RUEHDT RUEHPB
DE RUEHJA #1845/01 3101128
ZNY CCCCC ZZH
O 061128Z NOV 09
FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3745
INFO RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RHMCSUU/FBI WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEHLMC/MILLENNIUM CHALLENGE CORP PRIORITY 0153

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001845

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, E, EEB, INL
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR BERMAN
NSC FOR D.WALTON; MCC FOR ISMAIL

E.O. 12958: DECL: 11/16/2019
TAGS: [PGOV](#) [ECON](#) [KJUS](#) [KCOR](#) [ID](#)
SUBJECT: TOP LAW ENFORCEMENT OFFICIALS RESIGN AMID SCANDAL

REF: JAKARTA 1815 AND PREVIOUS

JAKARTA 00001845 001.2 OF 002

Classified By: Ambassador Cameron R. Hume for reasons 1.4 (b) and (d).

11. (C) SUMMARY: In a dramatic reversal, the two Indonesian Corruption Eradication Commission (KPK) Commissioners arrested by the police on October 29 have been released, and the Indonesian National Police,s (INP) Chief of the Criminal Investigation Division and the Vice Attorney General implicated in a tape recorded plot to frame them have resigned. The move comes after Indonesian Constitutional Court played recorded conversations between elements of the Attorney General,s Office (AGO) and the brother of a corruption suspect in Indonesia,s Constitutional Court, broadcast nationally on November 3. The latest developments are a major victory by the KPK in the battle against official corruption in Indonesia, a struggle that the INP,s former criminal investigations chief likened to a gecko fighting a crocodile. END SUMMARY

PUBLIC MOBILIZES AGAINST DETENTIONS

12. (SBU) Public outcry directed against the INP and the AGO erupted immediately following the arrest of KPK deputies Bibit Samad Rianto and Chandra Hamzah (see reftel). Despite INP and AGO efforts to show that they were investigating a legitimate criminal case against the commissioners, civil society called for the removal of INP Chief of Criminal Investigation Division Susno Duadji and Vice Attorney General Abdul Hakim Ritonga, both implicated in transcripts of tapped phone conversations leaked to the press (see reftel). Supporters for Bibit and Chandra formed a group on the popular social networking site Facebook, which, as of November 5, had attracted over 800,000 members. Demonstrations occurred in support of the KPK in major cities around the country.

13. (SBU) Civil society representatives criticized President SBY for failing to control the infighting between the competing legal institutions, which has undermined the government,s anti-corruption efforts. President SBY attempted to calm the public in a nationally televised address on Friday, October 30. SBY asked the public to trust the ongoing legal process and called for the KPK to hand over recordings to the police. Civil society remained skeptical of leaving the investigation in the hands of the INP, one of the institutions implicated in the alleged conspiracy to frame the two KPK commissioners. Civil society called for the establishment of an independent body to investigate

allegations of a police conspiracy.

SBY RESPONDS

14. (SBU) After meeting with a group of advisors and concerned academicians on the evening of November 2, President SBY announced formation of an 8-member fact-finding team comprised of academicians, prominent legal experts, an SBY legal advisor and a Partai Demokrat legal advisor to investigate the frame-up allegations. The team, led by prominent lawyer Adnan Buyung Nasution, was given a mandate to verify the facts and appropriate legal process in naming Bibit and Chandra as suspects for the misuse of authority, extortion and bribery. Other team members include Todung Mulya Lubis (of Transparency International Indonesia) and respected Paramadina University rector Anies Baswedan. The team was given two weeks to make a determination about whether there is clear evidence of a conspiracy against the KPK deputies.

RECORDINGS PLAYED...

15. (SBU) Meanwhile, in continuing sessions regarding the constitutionality of the President's ability to inactivate a member of the commission upon indictment (see reftel), the Constitutional Court agreed to hear the entirety of recordings of conversations tapped from the phone of a corruption suspect's brother. The Court played these recordings on November 4 in the presence of the fact finding team as the public watched live on national TV. The recordings seemed strongly to indicate a high-level conspiracy involving Susno and Ritonga to accuse KPK

JAKARTA 00001845 002.2 OF 002

officials with extortion, bribery, and misuse of authority. While unconfirmed, the recordings also suggested possible SBY support for the plot, which the president strongly denied in a subsequent press statement. It appears to have been a effort on the part of the conspirators to lend credibility to their plot

...AND COMMISSIONERS RELEASED FROM DETENTION

16. (SBU) On the evening of November 4, the INP released the two KPK commissioners from detention upon the petition of their attorneys. An INP spokesman denied that the release was due to public pressure, but said he hoped the commissioners, release would allay public concerns. He noted that the legal process against the commissioners continues.

17. (SBU) Prior to a Presidential cabinet meeting on Thursday, November 5, Duadji and Ritonga resigned their positions. These resignations, called for by the fact-finding team and considered by civil society to be slow in coming, signify a significant development in Indonesia's battle against corruption. The recommendation for their removal came from the independent fact finding team - a precedent for effectiveness by such a team. INP Chief Bambang Hendarso Danuri revealed late on November 5 that Susno tendered his resignation provisionally so the fact-finding team would not be hindered in its investigation.

WINNERS AND LOSERS: GECKO BITES CROCODILE

18. (C) The groundswell of public support for the two detained KPK deputies reflects the public's continued confidence in the institution and their doubts about elements of the INP and the AGO. At least in the short-term, the KPK appears to have won a major victory with the release of the commissioners and the resignations. However, the suspended commissioners (Chandra and Bibit) remain unable to carry out its duties pending a final decision in the ongoing legal process. The Constitutional Court also appears to have won

support for its role in advancing the rule of law and in disseminating information transparently. Likewise, the media appears to have been a winner in providing extensive coverage of the events and in mobilizing public support for the KPK commissioners. On the other hand, the loss in public esteem of the INP and AGO makes these agencies losers. While final outcomes still remain to be seen, SBY's perceived slow reaction to the growing debacle has damaged his corruption-busting reputation.

HUME